

1 DREW TULUMELLO (#196484)
drew.tulumello@weil.com
2 MARK A. PERRY (#212532)
3 mark.perry@weil.com
WEIL, GOTSHAL & MANGES LLP
4 2001 M Street NW, Suite 600
5 Washington, DC 20036
Tel: 202 682 7000
6 Fax: 202 857 0940

7 *Attorneys for Visa Inc.*
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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12 **SOUTHERN DIVISION**

13 K.A.,

14 Plaintiff,

15 v.
16

17 MINDGEEK S.A.R.L.; MG
FREESITES, LTD; MINDGEEK USA
18 INCORPORATED; MG PREMIUM
19 LTD.; MG GLOBAL
ENTERTAINMENT INC.; 9219-1568
20 Quebec, Inc.; BERND BERGMAIR;
21 FERAS ANTOON; DAVID TASSILLO;
COREY URMAN; VISA INC.;
22 REDWOOD CAPITAL
23 MANAGEMENT, LLC ; REDWOOD
DOE FUNDS 1-7 ; COLBECK
24 CAPITAL MANAGEMENT, LLC;
25 COLBECK DOE FUNDS 1-3,

26 Defendants.
27
28

Case No. 2:24-CV-04786-WLH-ADS

**NOTICE OF VISA INC.'S OMNIBUS
MOTION TO DISMISS FOR
FAILURE TO STATE A CLAIM**

Date: January 31, 2025

Time: 1:30 p.m.

Judicial Officer: Wesley L. Hsu

Courtroom: 9B

1 TO PLAINTIFFS AND ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on January 31, 2025 at 1:30 p.m. or as soon
3 thereafter as the matter may be heard, before the Honorable Wesley L. Hsu in
4 Courtroom 9B, located at 350 W. 1st Street, 9th Floor, Los Angeles, California
5 90012, Defendant Visa Inc. (“Visa”) will and hereby does move to dismiss
6 Plaintiffs’ claims against Visa, with prejudice, pursuant to Federal Rule of Civil
7 Procedure 12(b)(6). Visa brings this omnibus motion in accordance with the Order
8 Granting Joint Stipulation to Request Limited Coordination for Purposes of
9 Responding to Complaints in Related Cases (ECF No. 54).

10 Visa brings this omnibus motion on the grounds that: (i) the Complaints did
11 not state a claim for relief against Visa under the Trafficking Victims Protection
12 Reauthorization Act (“TVPRA”), 18 U.S.C. § 1591(a)(2) or any other secondary
13 liability theory (Count II); (ii) the Complaints did not plausibly allege any conspiracy
14 claim against Visa (Counts IV & XVII); (iii) the Complaints did not plausibly allege
15 any claims for relief under California state law (Count XIV); (iv) the Complaints did
16 not plausibly allege any intentional infliction of emotional distress claim against
17 Visa (Count XVI); and (v) dismissal with prejudice was warranted because any
18 amendment would be futile.

19 This omnibus motion to dismiss covers claims brought by Plaintiffs against
20 Visa in the above-captioned proceeding as well as the following cases:

21 *L.T. v. MindGeek, S.à.r.l., et al.*, Case No. 2:24-cv-04791-WLH-ADS (C.D.
22 Cal. June 7, 2024); *N.L. v. MindGeek, S.à.r.l., et al.*, Case No. 2:24-cv-04788-WLH-
23 ADS (C.D. Cal. June 7, 2024); *N.Y. v. MindGeek, S.à.r.l., et al.*, Case No. 2:24-cv-
24 04801-WLH-ADS (C.D. Cal. June 7, 2024); *T.C. v. MindGeek, S.à.r.l., et al.*, Case
25 No. 2:24-cv-04795-WLH-ADS (C.D. Cal. June 7, 2024); *X.N. v. MindGeek, S.à.r.l.,*
26 *et al.*, Case No. 2:24-cv-04800-WLH-ADS (C.D. Cal. June 7, 2024); *J.C. v.*
27 *MindGeek, S.à.r.l., et al.*, Case No. 2:24-cv-04971-WLH-ADS (C.D. Cal. June 12,

2024); *C.S. v. MindGeek, S.à.r.l., et al.*, Case No. 2:24-cv-04992-WLH-ADS (C.D.
Cal. June 13, 2024); *S.O. v. MindGeek, S.à.r.l., et al.*, Case No. 2:24-cv-04998-
WLH-ADS (C.D. Cal. June 13, 2024); *W.L. v. MindGeek, S.à.r.l., et al.*, Case No.
2:24-cv-04977-WLH-ADS (C.D. Cal. June 13, 2024); *L.S. v. MindGeek, S.à.r.l., et*
al., Case No. 2:24-cv-05026-WLH-ADS (C.D. Cal. June 14, 2024); *A.K. v.*
MindGeek, S.à.r.l., et al., Case No. 2:24-cv-05190-WLH-ADS (C.D. Cal. June 20,
2024); *W.P. v. MindGeek, S.à.r.l., et al.*, Case No. 2:24-cv-05185-WLH-ADS (C.D.
Cal. June 20, 2024); and *J.L. v. MindGeek, S.à.r.l., et al.*, Case No. 2:24-cv-7046-
WLH-ADS (C.D. Cal. Aug. 20, 2024).

This omnibus motion is based upon this Notice of Motion, all other pleadings
and papers on file herein, and such other argument and evidence as may be presented
to the Court.

Pursuant to Local Rule 7-3, the parties thoroughly discussed the substance and
potential resolution of the filed omnibus motion by videoconference, which took
place on October 14, 2024.

Dated: October 30, 2024

RESPECTFULLY SUBMITTED,

/s/ Drew Tulumello
DREW TULUMELLO (#196484)
drew.tulumello@weil.com
MARK A. PERRY (#212532)
mark.perry@weil.com
WEIL, GOTSHAL & MANGES LLP
2001 M Street NW, Suite 600
Washington, DC 20036
Tel: 202 682 7000
Fax: 202 857 0940

Attorneys for Defendant Visa Inc.